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Practitioner's Docket: 2004CH001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ludwig HASEMANN

Serial No.: 10/585,231

Group Art Unit: 1625

Filed: June 30, 2006

Examiner: Rahmani, N.

For: Acidic Monoazo Dyestuffs

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop:
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed June 3, 2008, please enter the following election.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10

I hereby certify that this correspondence is, on the date shown below, is being transmitted by facsimile to Centralized Facsimile Number, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Fax No. 571-273-8300 (3 pages)

Jackie L. Wise Jackie L. Wise

Date: June 2, 2008

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Election/Restriction

The Office has restricted the present application under 35 U.S.C. § 121, and § 372. Specifically, the Office states that the Application contains claims directed to more than one invention. The Office is of the position that the species lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The Office has defined the Groups as follows:

Group I: Claims 1-5, drawn to a dyestuff of formula (I), (Ia), and (Ib), classified in class 544.

Group II: Claims 6-9, drawn to an Ink Jet Ink comprising at least one compound according to Claim 1, or an Ink Jet Ink printing process for printing a recording material or dyeing a substrate comprising at least one dyestuff according to claim 1, classified in class various, subclass various.

Group III: Claim 10, drawn to a recording material or a papery substrate comprising cellulose printed or dyed with a compound according to claim 1.

For prosecution in this Application, Applicants elect Group I, namely Claims 1 - 5, drawn to a dyestuff of formula (I), (Ia), and (Ib), classified in class 544, without traverse or prejudice, and reserve the right to resubmit a divisional application on the non-elected Groups.

Furthermore, the Office states that the Application contains claims directed to more than one species of a generic invention within Groups I, II and III. The Office is of the position that the species lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

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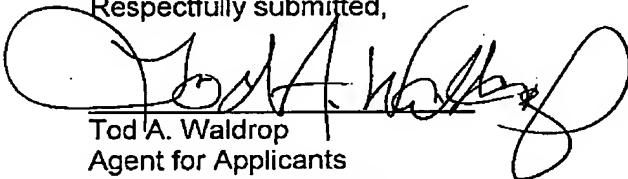
The Office has required Applicants to elect a single species, with identification of the claims readable on the elected species.

For examination of this Application, Applicants elect Group I, drawn to a dyestuff of formula (Ib), without traverse or prejudice and reserve the right to resubmit a divisional application on the non-elected species. The claims readable on this species are Claims 1 – 5.

It is respectfully submitted that, in view of the above remarks, the restriction requirement is now satisfied and the examination of this Application on the merits can now proceed. If the Examiner has any remaining questions, he may contact Applicants' representative. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited.

An early and favorable action is courteously solicited.

Respectfully submitted,



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